

Unofficial Document

Amend printed copy of **SB 4/SCS 1**

On page 15 after line 15 by inserting the following:

"➔SECTION 30. A NEW SECTION OF KRS CHAPTER 216C IS CREATED TO READ AS FOLLOWS:

(1) Notwithstanding any provision of this chapter to the contrary, a plaintiff shall be privileged to waive the medical review panel process created in this chapter under the following circumstances:

(a) The litigation involves the sexual abuse of a patient;

(b) The facts underlying the litigation involve the commission or allegation of a criminal act;

(c) The facts underlying the litigation concern the intentional physical abuse of the plaintiff;

(d) The facts underlying the litigation involve abuse or neglect caused by the grossly negligent conduct of any defendant; or

(e) Any employee of a facility or medical office where the alleged malpractice occurred has ever been convicted, pleaded guilty, or entered an Alford plea to a Class B or greater misdemeanor or a Class D or greater felony.

(2) Notwithstanding any provision of this chapter to the contrary, a plaintiff shall be privileged to waive the medical review panel process created in this chapter if he or she:

Amendment No. SFA 13

Rep. Sen. Ray S. Jones II

Committee Amendment

Signed: _____

Floor Amendment

LRC Drafter: Trebelhorn, Matt

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

- (a) Is a veteran, or the spouse of a veteran, honorably discharged from the Armed Forces of the United States;
- (b) Has ever served as a law enforcement officer, or is the spouse of a law enforcement officer;
- (c) Has ever served as a firefighter, or is the spouse of a firefighter;
- (d) Is older than sixty-five (65) years of age, or is the spouse of someone older than sixty-five (65); or
- (e) Has served as a member of the clergy, or is the spouse of a member of the clergy."